

United States District Court
Southern District of Texas
FILED

MAY 21 2021

Nathan Ochsner, Clerk

THE AMENDED COMPLAINT

JUAN BENITO MANCIAS

YEN NAWI'S KIAPANI'K

OF THE CARRIZO COMECRUDO TRIBE OF TEXAS

ESTO'K GNA

1150 Roemer Lane, Unit C

Floresville, TX 78114

PLAINTIFF

vs.

U.S. CUSTOMS AND BORDER PROTECTION

1300 Pennsylvania Ave. N.W. MS: 1345

Washington, D.C. 20229,

and

U.S. DEPARTMENT OF HOMELAND SECURITY

2707 Martin Luther King Jr. Ave, SE MS: 0525

Washington, D.C. 20528

DEFENDANTS

Case No.: 7:20-cv-00349

THE AMENDED COMPLAINT

I, Juan Benito Mancias, amend this complaint to include the U.S. CUSTOMS AND BORDER PROTECTION, 1300 Pennsylvania Ave. N.W. MS:1345, Washington, D.C. 20229 and the U.S. DEPARTMENT OF HOMELAND SECURITY, 2707 Martin Luther King Jr. Ave., SE MS: 0525, Washington, D.C. 20528 as defendants. The purpose of this amendment is to call on U.S. CUSTOMS AND BORDER PROTECTION to cease and discontinue the building of the Border Wall along the border with Mexico in HIDALGO and STARR Counties of Texas because important archeological remains have been found in these areas and must be preserved and any desecration halted immediately. I petition the court to allow me and any Carrizo Comecrudo Tribal members access to any of these sites in order to maintain our Sovereign right to identify sacred sites and artifacts.

I, Juan Benito Mancias, also amend this complaint to include the U.S. DEPARTMENT OF HOMELAND SECURITY to call on them to stop the imprisonment of people who are crossing their own ancestral lands and detaining them in ICE and other contracted holding facilities. I petition that they give us, the autochthonous people of the Rio Grande Valley, including myself and members of the Carrizo Comecrudo Tribe of Texas, the opportunity to access immigrant detention centers to verify that they are not holding any Tribal members, children or adults, in these facilities. I also petition the court to allow me access to these facilities to check on the well-being of detainees and to check their linear descendancy so that I can help them with their citizenship process if they are Carrizo Comecrudo Tribal members. As our ancestral lands lie on both sides of the Rio Grande River, I want to be able to confirm if Tribal members are trying to cross the Rio Grande River. Autochthonous people should not be ongoing victims of the segmentation of their land by the use of their River as an international border line or being prevented access to their ancestral lands due to a Border Wall. Autochthonous people who seek asylum on this side of their River should not be detained or suffer bodily harm by U.S. Government agencies.

II. I am the Original People of the land. In 1532, when Governor Garay from the Carib, sent the first Spaniard ship to ford the Rio Grande River, Somi Se'k, in the area that is now called The State Of Texas. The Spaniards went up the river and every eight to ten miles they found a village of my people, The Carrizo people. At that time, we just called ourselves the Esto'k Gna. There were no colonized names for us at the time. The Spaniards called us Carrizo because we lived in houses made out of Huicahe, Retama, and Sauz and we covered them up with cattails for a roof, as thatch houses. So, they called us Carrizos because we were living in reed houses. They went upriver as far as Del Rio, talking to our people, the people using same language that we speak today. It was recorded in 1886 in Camargo, Mexico by some Cavazos relatives in the area.

III. We were part of the Republic of the Rio Grande when we fought alongside the Texans trying to get the border further into Mexico around the Rio San Fernando. The Texans wanted the Rio Grande River as a border. Mexico wanted the Nueces River as the border. This land became part of a no-man's land at that time.

IV. This is one reason to consider the indication of the poor due diligence that the counties have done historically. They have failed to look at the village sites, burial sites, and sacred sites of the Carrizo Comecrudo. Our concern is that the lands were continually stolen away without due process or recourse. The lands continued to be taken away until the time when we were able to get an education. For a long time, even education was negated as many of us became migrant workers, working in the citrus and cotton fields of South Texas, all the way up into the panhandle of Texas and even into Michigan. Eventually, many of the Carrizo Comecrudo families that were accustomed to the ranching lifestyles had to change their lifestyle and become farm laborers and seasonal laborers.

V. We have never left. We always came back and visited, always came back to our sacred site at Cuevitas, our sacred site at Garcia Pasture, our sacred site at the Montezuma tree. All these places were sacred to us. Recently they started to destroy the south side of the levee land by corrupting it with patrolling, which has intimidated much of the populace here. But we as Native people have many land sites and a lot of villages all along this area, places like Las Cuevitas and Penitas, Granjeno, Las Milpas, Capote, Los Indios, and all along the Rio Grande up into New Mexico. Our people lived along that way.

VI. We don't want any more division being caused, any more digging of our ancestors. It's not that we own the land, but that the land owns us and that's why we lay claim to it. It identifies us, it's in our language.

VII. The word kamla' is in our language. Somi Se'k is in our language. That's what we call these areas. We were the Esto'k Gna, the human persons. This is why we want to maintain our identity. Part of our identity lies in reclaiming our lands that we never gave away, we never sold away. This is why we want to show our claims to the lands. This is our inherent right to these lands.

VIII. By my territorial jurisdiction of Absolute Land Sovereignty; I remand that The Federal Government of The United States of America and subsidiaries; Secretary of Homeland Security, U.S. Customs Border Protection, United States Border Patrol, Government Services Agency, Immigration and Customs Enforcement, Transportation Security Agency. Any and all Contractors, Sub Contractors and Subsidiaries; Cease and Desist the construction of the wall, including all actions and motions having to do with the Border Wall as The Habeus Corpus is written.

IX. Due to the atrocities caused by The Federal Government of The United States Of America Government and its Entities, killing myself and Our Esto'k Gna People. I am asking for 1 Trillion dollars to be disbursed as follows; with an initial payment of 400 Billion to be paid immediately, thereafter 200 Billion per year for the next 500 years. For reparation for the first contact of 1532 which resulted in the killing of our people and post-traumatic stress disorder and inter-generational trauma, and grief. As well as the theft, of our land.



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